

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

SENTENCING MINUTE SHEET

CR No.	21-1326-MV	USA vs.	Espinosa						
Date:	April 27, 2023	Name of Deft:	Epifanio Espinosa						
Before the Honorable		Martha Vázquez							
Time In/Out:	9:36 a.m. / 10:34 a.m.			Total Time in Court (for JS10):	58 minutes				
Clerk:	Linda Romero			Court Reporter:	Andrea Lynch (by Zoom)				
AUSA:	Paul Spiers			Defendant's Counsel:	Wayne Baker				
Sentencing in:	Santa Fe, New Mexico			Interpreter:					
Probation Officer:	Jason Hunt			Sworn?	<input type="checkbox"/>	Yes	No		
Convicted on:	<input checked="" type="checkbox"/>	Plea		Verdict	As to:	<input checked="" type="checkbox"/>	Information	Indictment	
If Plea:	<input checked="" type="checkbox"/>	Accepted		Not Accepted	Adjudged/Found Guilty on Counts:				
If Plea Agreement:	<input checked="" type="checkbox"/>	Accepted		Not Accepted	No Plea Agreement	Comments:			
Date of Plea/Verdict:	1/31/23			PSR:	<input checked="" type="checkbox"/>	Not Disputed		Disputed	
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:	<input checked="" type="checkbox"/>	Not Needed	Needed	
Exceptions to PSR:									
SENTENCE IMPOSED			Imprisonment (BOP): 70 days or time served, whichever is less						
Supervised Release:	5 years			Probation:			500-Hour Drug Program		
	Court recommends ICE begin removal proceedings immediately or during service of sentence						ICE not applicable		
SPECIAL CONDITIONS OF SUPERVISION									
<input checked="" type="checkbox"/>	Substance abuse testing (up to 60 tests per year)				Home confinement for	months	days		
<input checked="" type="checkbox"/>	Inpatient substance abuse treatment program (waive confidentiality) (Four Winds in Rio Rancho)			<input checked="" type="checkbox"/>	Community service for 20 hours during term of supervision				
<input checked="" type="checkbox"/>	Outpatient substance abuse treatment program (waive confidentiality)				Reside residential reentry center	months	days		
<input checked="" type="checkbox"/>	Mental health treatment program (waive confidentiality)				Register as sex offender				
<input checked="" type="checkbox"/>	No alcohol/intoxicants (up to 4 tests per day)				Participate in sex offender treatment program				
<input checked="" type="checkbox"/>	Submit to search of person/property				Possess no sexual material				
<input checked="" type="checkbox"/>	No contact with co-conspirator				No computer with access to online services				
	No entering, or loitering near, victim's residence				No contact with children under 18 years				
	Provide financial information				No volunteering where children supervised				
	Grant limited waiver of confidentiality				Restricted from occupation with access to children				
<input checked="" type="checkbox"/>	No psychoactive substances				No loitering within 100 feet of school yards				
<input checked="" type="checkbox"/>	OTHER: No drug paraphernalia Defense counsel requests and Court removes the standard condition of the requirement for a defendant to be employed, since the defendant is on social security disability.								
Fine: \$	0			Restitution: \$		0			
SPA: \$	100 (\$100 as to each Count)			Payment Schedule:		<input checked="" type="checkbox"/>	Due during term of supervision	Waived	
OTHER:	Forfeiture								
	Advised of Right to Appeal	<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement						
	Held in Custody		Voluntary Surrender						
	Recommended place(s) of incarceration:								

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	Dismissed Counts:
OTHER COMMENTS	Court addresses defendant and identifies documents she has reviewed in preparation for sentencing. Defense counsel addresses Court. Defendant addresses Court. Government counsel addresses Court. Court addresses defendant and imposes sentence. Defense counsel requests and Court removes the standard condition of the requirement for a defendant to be employed, since the defendant is on social security disability. Court advises defense counsel that if the defendant does well on supervision for two years, he can submit a motion for early termination of supervision.